

Dertke, Daniel

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 02-1135

September Term, 2007

FILED ON: DECEMBER 19, 2008

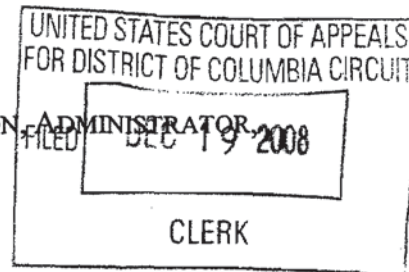
SIERRA CLUB,

PETITIONER

v.

ENVIRONMENTAL PROTECTION AGENCY AND STEPHEN L. JOHNSON, ADMINISTRATOR,  
ENVIRONMENTAL PROTECTION AGENCY,  
RESPONDENTS

AMERICAN CHEMISTRY COUNCIL, ET AL.,  
INTERVENORS



DEPT. OF JUSTICE - ENRD  
ENVIRONMENT DIVISION

DEC 23 PM 12:12

Consolidated with 03-1219, 06-1215, 07-1201

On Petitions for Review of a Final Action  
of the Environmental Protection Agency

Before: ROGERS and TATEL, *Circuit Judges*, and RANDOLPH, *Senior Circuit Judge*

**JUDGMENT**

These causes came on to be heard on the petitions for review of an order of the of the Environmental Protection Agency and were argued by counsel. On consideration thereof, it is

**ORDERED** and **ADJUDGED** that the petitions for review be granted, and the SSM exemption be vacated, in accordance with the opinion of the court filed herein this date.

Per Curiam

<b>MANDATE</b>	
Pursuant to the provisions of Fed. R. App. Pro. 41(a)	
ISSUED:	10/19/09
BY:	[Signature]
ATTACHED:	<input type="checkbox"/> Amending Order <input type="checkbox"/> Opinion <input type="checkbox"/> Order on Costs

FOR THE COURT:  
Mark J. Langer, Clerk

BY:

/s/ [Signature]  
Michael C. McGrail  
Deputy Clerk

Date: December 19, 2008

Opinion for the court filed by Circuit Judge Rogers.  
Dissenting opinion filed by Senior Circuit Judge Randolph.

Plea 90-5-2-3-16694